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Representing the United States of America

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARLES ELLIS,

Defendant.

Case No. 2:18-CR-00255-JAD-EJY

**GOVERNMENT'S NOTICE OF
EXPERT WITNESS EVIDENCE**

The United State of America, by and through NICHOLAS A. TRUTANICH, United States Attorney, and PATRICK BURNS, Assistant United States Attorney, hereby respectfully submits this Government's Notice of Expert Witness Evidence.

Notice of Expert Witness Evidence

Pursuant to Federal Rule of Criminal Procedure 16(a)(1)(G), and Federal Rules of Evidence 702-705, please take notice that the government intends to call as witnesses the following individuals to testify to the noticed matters described below:

- Daniel H. Yun is a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) currently assigned to ATF's Las Vegas Field Office. Agent Yun is an expert in the investigation, identification, and commercial tracing of firearms and

ammunition, and will testify as to the collectability of the particular firearms sold by defendant as identified in the discovery already produced to defendant. Specifically, he will testify that the following make and model firearms (or their functional equivalents) are not commonly considered collectable firearms within the commercial and collectable markets for firearms:

- Zastava, model N-Pap M70, 7.62mm caliber pistol;
- Zastava, model PAP M85 NP, 5.56mm caliber pistol;
- Extar, LLC, model EXP556, 5.56mm caliber pistol;
- Masterpiece Arms, model MPA10T, .45-caliber pistol;
- Masterpiece Arms, model MPA30T, 9mm caliber pistol;
- DPMS Inc., Model A15, .223 caliber rifle;
- SCCY Industries, LLC, model CPX-1, 9mm caliber pistol; and
- Any Hi-Point brand pistol or rifle.

Agent Yun will further testify that the make and model of firearms defendant purchased on the following dates (or their functional equivalents) are not commonly considered collectable firearms within the commercial and collectable markets for firearms:¹

- the nine firearms defendant purchased on or about January 19, 2017, at federal firearms dealer Ventura Munitions located in Las Vegas, Nevada;
- the six firearms defendant purchased on or about February 2, 2017, at Ventura Munitions located in Las Vegas, Nevada;
- the fourteen firearms defendant purchased on or about March 2, 2017, at Ventura Munitions located in Las Vegas, Nevada;

¹ The government hereby incorporates the specific make and model of those firearms as described in discovery materials already produced to defendant.

- the three firearms defendant purchased on or about July 7, 2017, at Ventura Munitions located in Las Vegas, Nevada;
- the three firearms defendant purchased on or about July 13, 2017, at Ventura Munitions located in Las Vegas, Nevada;
- the seven firearms defendant purchased on or about August 14, 2017, at Ventura Munitions located in Las Vegas, Nevada;
- the eight firearms defendant purchased on or about September 7, 2017, at Ventura Munitions located in Las Vegas, Nevada;
- the four firearms defendant purchased on or about September 21, 2017, at Ventura Munitions located in Las Vegas, Nevada; and
- the nine firearms defendant purchased on or about November 22, 2017 at Ventura Munitions located in Las Vegas, Nevada.

Finally, Agent Yun may testify regarding the ubiquity and approximate retail and after-market (private party sale) prices of the firearms mentioned above.

A copy of Agent Yun's curriculum vitae is attached here as Exhibit 1.

The government reserves the right to amend this notice prior to trial.

NICHOLAS A. TRUTANICH
United States Attorney

//s//Patrick Burns

PATRICK BURNS
Assistant United States Attorney

Certificate of Service

I, Patrick Burns, hereby certify that I am an employee of the United States Department of Justice, and that on this day I served a copy of the following: Government's Notice of Expert Witness Evidence, upon counsel for all defendants appearing in this matter via the CM/ECF system, by electronically filing said document.

Dated: August 29, 2019

/s/ Patrick Burns

PATRICK BURNS
Assistant United States Attorney
District of Nevada